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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/092,087	03/06/2002	Susumu Takatsuka	SCEIYO 3.0-119	8526
530	7590	04/07/2004	EXAMINER	
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			MOSSER, ROBERT E	
			ART UNIT	PAPER NUMBER
			3714	S

DATE MAILED: 04/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/092,087

**Applicant(s)**

TAKATSUKA ET AL.

**Examiner**

Robert Mosser

**Art Unit**

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 4.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 7, 9, 11, and 15 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In Claim 7 starting on line 2 the phrase "at least" in reference to "for configuring program scene" makes it impossible to determine the metes and bounds of the claimed invention.

In Claim 9 starting on line 4 the phrase "at least" in reference to "for configuring program scene" makes it impossible to determine the metes and bounds of the claimed invention.

In Claim 11 starting on line 6 the phrase "at least" in reference to "for configuring program scene" makes it impossible to determine the metes and bounds of the claimed invention.

In Claim 15 starting on line 4 the phrase "at least" in reference to "for configuring program scene" makes it impossible to determine the metes and bounds of the claimed invention.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 1-16 rejected under 35 U.S.C. 102(b) as being anticipated by Hypertext Markup Language – 2.0 by Berners-Lee & Connolly herein referred to as html.

Html is used over the Internet (a network) for the distribution of web pages equivalently a plurality of scenes or equivalently program scenes comprised of a specific pre-distributed plurality of elemental information as so claimed (page 1 paras 2-3). Wherein the pre-distributed elemental information is understood as the html interpreter (i.e. web browser) or alternatively the cached data present on the computer (terminal apparatus) containing the web browser.

Html is a series of instructions detailing the inherent managing of element information including configuring and combining of said elements. Wherein the placement of elements in particular locations of a web page is equated to configuring and the web page in its entirety is considered a combination. The storing of these scenes is presented in the display of them in turn at least implicitly requiring the storing of said scenes in the video memory of the terminal device. The control information is viewed as the html code in of itself, and the distribution of this control information to the terminal device is viewed as the transmission of the web page or equivalently described desired scene to the computer containing the web browser. Wherein the web browser

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decodes the received control data to produce the desired scene comprised of elements, in the order the html instructions are read, transmitted, and originally ordered. Where it is further understood that the above described process would be repeated for the display of multiple scenes.

### ***Conclusion***

Marshall Brian has provided for details regarding the inherent functionality and operation of html as it pertains to the present rejection in the article "How Web Pages Work". The examiner has set forth the "How Web Pages Work" reference solely to clarify the current interpretation and rejection provided for therewith and it should not be interpreted beyond proof the inherent functionality of the hypertext markup Language and World Wide Web as set forth in the html reference.

The "How Web Pages Work " and the citations provided for within are not relied upon for this rejection.

Pages 1 and 2 of the "How Web Pages Work" reference disclose the functional relationship between html, the Internet, and a web browser in basic detail.

The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Becker et al (US 5,878,223) teaches a predictive caching system.

Barrus et al (US 6,058,397) teaches a 3d virtual environment creation and delivery system

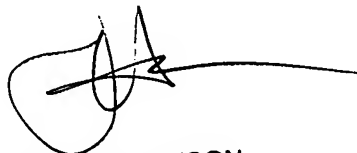
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert Mosser whose telephone number is (703)-305-4253. The examiner can normally be reached on 8:30-4:30 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Hughes can be reached on (703) 308-1806. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

REM



JESSICA HARRISON  
PRIMARY EXAMINER